

# UNITED STATES DISTRICT COURT

for the

District of Nebraska

United States of America

v.

Michael F. Weaver

Date of Original Judgment: 09/04/2009

Date of Previous Amended Judgment: \_\_\_\_\_

*(Use Date of Last Amended Judgment if Any)*

Case No: 4:08CR3129

USM No: 22774-047

Michael J. Tasset

*Defendant's Attorney*

## ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment *(as reflected in the last judgment issued)* of 151 months **is reduced to** 120 months.

*(Complete Parts I and II of Page 2 when motion is granted)*

**Filing 280 is granted. This ruling is without prejudice to the pending Rule 35(b) motion.**

Except as otherwise provided, all provisions of the judgment dated 09/04/2009 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 06/28/2012

s/ Richard G. Kopf

*Judge's signature*

Effective Date: 06/28/2012

*(if different from order date)*

Richard G. Kopf, Senior U.S. District Judge

*Printed name and title*